

James H.M. Sprayregen, P.C.
Brian E. Schartz, P.C.
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

Anup Sathy, P.C.
Stephen C. Hackney, P.C. (admitted *pro hac vice*)
Alexandra Schwarzman (admitted *pro hac vice*)

KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
300 North LaSalle Street
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200

*Counsel to ASSF IV AIV B Holdings III, L.P. and
AEIF TRADE, LLC*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:) Chapter 11
EMPIRE GENERATING CO, LLC, *et al.*,¹) Case No. 19-23007-RDD
Debtors.) (Jointly Administered)
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NOTICE OF APPEAL

PLEASE TAKE NOTICE that ASSF IV AIV B Holdings III, L.P. and AEIF TRADE, LLC (together, “Ares”), and SPT Infrastructure Finance Sub-1, LLC and SPT Infrastructure

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s tax identification number are: Empire Generating Co, LLC [3821], Empire Gen Holdco, LLC [3820], Empire Gen Holdings, LLC [4849], and TTK Empire Power, LLC [none]. The Debtors’ corporate address is: Empire Generating Co, LLC, c/o Tyr Energy, LLC, 7500 College Blvd., Suite 400, Overland Park, Kansas 66210.

Finance Sub-2, Ltd (together “Starwood,” and together with Ares, the “Minority Lenders”), by and through their undersigned counsel, hereby appeal to the United States District Court for the Southern District of New York from the *Order Authorizing and Directing the Debtors to Assume Restructuring Support Agreement* (ECF No. 98), a final order entered in the above-captioned action on June 10, 2019, a copy of which is attached hereto as Exhibit 1.

PLEASE TAKE FURTHER NOTICE that a completed Form 417A is attached hereto as Exhibit 2, and that the Minority Lenders have identified the parties to the order appealed from and the names and addresses of their respective attorneys on Exhibit 3.

New York, New York
Dated: June 17, 2019

/s/ Brian E. Schartz, P.C.

Brian E. Schartz, P.C.
James H.M. Sprayregen, P.C.
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
bschartz@kirkland.com
jsprayregen@kirkland.com

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Alexandra Schwarzman (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
300 North LaSalle Street
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
asathy@kirkland.com
shackney@kirkland.com
alexandra.schwarzman@kirkland.com

Counsel to ASSF IV AIV B Holdings III, L.P. and AEIF TRADE, LLC

Steven M. Abramowitz
Marisa Antos-Fallon
VINSON & ELKINS LLP
666 Fifth Avenue, 26th Floor
New York, New York 10103
Telephone: (212) 237-0000
Facsimile: (212) 237-0100
sabramowitz@velaw.com
mantos-fallon@velaw.com

Counsel to SPT Infrastructure Finance Sub-1, LLC and SPT Infrastructure Finance Sub-2, Ltd